(4) Arguments ought to be heard just after the close of evidence. Unduly lenghty arguments and tendency to cite needlessly large number of authorities should be discouraged. Judgements of the trial courts should deal with questions of fact appraising the evidence, refering to relevant statutory provisions and citing only those authorities which have direct bearing on the case.

(5) Time lag between pronouncement of judgement and preparation of decree should not be too long and should be done within 15 days time span, as laid down by Order 20, Rule 6A of the C.P.A.

(6) Setting up of Conciliation Boards on an experimental basis, in selected areas in disputes giving to claims for recovery of money not exceeding Rs. 5000. Adoption of conciliation would go a long way in relieving the Courts of heavy load of civil cases.

(7) Creation of an All India Judicial Service, with the same rank and pay scales as IAS.

(8) In its analysis and study, the Commission found that in India, there are 10.5 judges per million people. While contrasting this with other countries, it could be seen that these countries had substantially greater number of judges per million population. Australia has 46 judges per million, Canada has 75.2 judges per million, England has 50 judges per million and U.S.A. 107 judges per million. India is demographically and politically much larger than these nations and yet with only 7,675 judges, it is far behind these countries. The Commission recommended that by the year 2000, India should command at least the ratio U.S.A. command in 1981 *i.e.* 107 judges per million people.

(9) Radical restrucuting of the grass rot justice system which would provide a regulatory mechanism to the inflow of work to the High Court and the Supreme Court and reduce the number of second appeals.

(10) The Chief Justice should enlist the *services of retired judges* for setting up benches composed of two judges to do civil, criminal and miscellaneous work in the morning. The Chief Justice, depending upon the pendency of old matters, should draw a line of the base year and then direct that all matters pending up to the base year and admitted before the base year should be exclusively assigned to the retired judges. The retired judges will use the same building during the pre-lunch session and the sitting judges can use it after lunch. This will give them ample time to write judgements regularly. This suggestion has a double advantage as their will be optimum utilisation of fixed capital as well as speedy disposal of cases because the judges have rich expertise and experience in delivering justice. The retired judges should be paid the salary drawn by sitting judges without deducting pension or gratuity.

Setting up of Fast Track Courts

361. SHRI VARINDER SINGH BAJWA : Will the Minister of LAW AND JUSTICE be pleased to state :

(a) whether Government proposes to constitute Fast Track Courts to dispose of crores of cases pending in lower courts in the country.

(b) if so, whether the matter has been discussed with the State Governments so as to finalize the scheme;

(c) if so, the reaction of the State Governments in the matter, State-wise; and

(d) by when the proposed courts are likely to set up and start functioning and how the cost of these courts is proposed to be shared betweem the Centre and the States?

THE MINISTER OF LAW AND JUSTICE (SHRI M. VEERAPPA MOILY) : (a) to (d) Fast Track Courts have already been set-up by the State Governments on the recommendations of the Eleventh Finance Commission. The scheme of central assistance for Fast Track Courts was started in the year 2000 for a period of five years *i.e.* up to 31st March, 2010. As per the information received from the State Governments/Registry of the High Courts, 25,94,231 cases have been disposed of by the Fast Track Courts out of 32,08,911 cases transferred to them.

Legislation in force

†362.SHRI LALIT KISHORE CHATURVEDI :
DR. GYAN PRAKASH PILANIA :
Will the Minister of LAW AND JUSTICE be pleased to state :

(a) the number of legislation in existence at present which were passed during the pre-Independence era by the then Government passed by the Central Government after Independence and passed by the State Governments after Independence;

(b) the number of such legislation out of these existing only on paper and are not being complied with;

(c) the number of legislations out of these not in effect in its current form; and

(d) whether Government has any plan to review such acts?

THE MINISTER OF LAW AND JUSTICE (SHRI M. VEERAPPA MOILY) : (a) (i) Pre-Independence : Total No. of Acts : 364

(ii) After Independence : Total No. of Acts : 741

(iii) As regard, Acts passed by State Governments, the information is being collected.

(b) and (c) (i) Number of Acts not enforced - 26

(ii) Number of Acts partly enforced - 13.

(d) No.

Upgradation of legal education

363. SHRI B.K. HARIPRASAD : Will the Minister of LAW AND JUSTICE be pleased to state :

† Orignial notice of the question was received in Hindi.